





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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FEDERAL ELECTION COMMISSION  
SECRETARY

2017 SEP 18 PM 1:57

September 18, 2017

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *EWL for*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KR BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2017 Mid-Year Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2017 Mid-Year Report in accordance with 52 U.S.C. § 30104(a). The Mid-Year Report was due on July 31, 2017.

The committees listed in the attached RTB Circulation Report either failed to file the report, no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2017 MID-YEAR REPORT Not Election Sensitive 07/31/2017 UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3341	C00623256	AMERICA COMES FIRST PAC		DAVID W. SCHAMENS	\$154,404	3		Not Filed	\$154,404 (est)	\$13,371
3342	C00571398	BLAKPAC		SANDRA LOPEZ	\$142,914	0	8/25/2017	25	\$142,913	\$5,183
3343	C00630012	IT STARTS TODAY		JONATHAN ZUCKER	\$277,875	0	9/5/2017	Not Filed	\$277,875	\$11,114
3344	C00623355	NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE		DEBORAH JANSEN	\$371,152	0		Not Filed	\$371,152 (est)	\$12,503
3345	C00625285	PHYLLIS SCHLAFLY'S EAGLE PAC		ED MARTIN	\$140,179	0		Not Filed	\$140,179 (est)	\$6,252
3346	C00502807	UNITED STATES PEANUT POLITICAL ACTION COMMITTEE (US PEANUT PAC)		ROBERT L. REDDING JR.	\$126,633	0		Not Filed	\$126,633	\$6,252

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2017 )  
Mid-Year Report for the Administrative )  
Fine Program: )  
AMERICA COMES FIRST PAC, and ) AF# 3341  
SCHAMENS, DAVID W MR. as treasurer; )  
BLAKPAC, and SANDRA LOPEZ as ) AF# 3342  
treasurer; )  
IT STARTS TODAY, and ZUCKER, ) AF# 3343  
JONATHAN as treasurer; )  
NATIONAL TREASURY EMPLOYEES ) AF# 3344  
UNION ADVOCACY COMMITTEE, and )  
JANSEN, DEBORAH as treasurer; )  
PHYLLIS SCHLAFLY'S EAGLE PAC, ) AF# 3345  
and MARTIN, ED as treasurer; )  
UNITED STATES PEANUT POLITICAL ) AF# 3346  
ACTION COMMITTEE (US PEANUT )  
PAC), and ROBERT L REDDING JR as )  
treasurer; )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,  
do hereby certify that on September 20, 2017 the Commission took the following  
actions on the Reason To Believe Recommendation - 2017 Mid-Year Report for the  
Administrative Fine Program as recommended in the Reports Analysis Division's  
Memorandum dated September 18, 2017, on the following committees:

AF#3341 Decided by a vote of 5-0 to: (1) find reason to believe that AMERICA  
COMES FIRST PAC, and SCHAMENS, DAVID W MR. in his official capacity as  
treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the  
civil money penalty would be the amount indicated on the report; (2) send the appropriate  
letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

AF#3342 Decided by a vote of 5-0 to: (1) find reason to believe that BLAKPAC, and SANDRA LOPEZ in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3343 Decided by a vote of 5-0 to: (1) find reason to believe that IT STARTS TODAY, and ZUCKER, JONATHAN in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3344 Decided by a vote of 5-0 to: (1) find reason to believe that NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE, and JANSEN, DEBORAH in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3345 Decided by a vote of 5-0 to: (1) find reason to believe that PHYLLIS SCHLAFLY'S EAGLE PAC, and MARTIN, ED in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3346 Decided by a vote of 5-0 to: (1) find reason to believe that UNITED STATES PEANUT POLITICAL ACTION COMMITTEE (US PEANUT PAC), and ROBERT L REDDING JR in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 21, 2017  
Date

Dayna C. Brown  
Dayna C. Brown  
Secretary and Clerk of the Commission



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

September 21, 2017

Deborah Jansen, in official capacity as Treasurer  
National Treasury Employees Union Advocacy Committee  
1750 H St NW  
Washington, DC 20006

C00623355  
AF#: 3344

Dear Ms. Jansen:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Mid-Year Report of Receipts and Disbursements in any calendar year other than one during which a regularly scheduled general election is held. This report, covering the period January 1, 2017 through June 30, 2017, shall be filed no later than July 31, 2017. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On September 20, 2017, the FEC found that there is reason to believe ("RTB") that National Treasury Employees Union Advocacy Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before July 31, 2017. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$12,503. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$12,503 is due within forty (40) days of the finding, or by October 30, 2017, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$371,152  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

- 1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or October 30, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that National Treasury Employees Union Advocacy Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther  
Chair



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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$12,503 for the 2017 Mid-Year Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

-----  
FOR: National Treasury Employees Union Advocacy Committee

FEC ID#: C00623355

AF#: 3344

PAYMENT DUE DATE: October 30, 2017

PAYMENT AMOUNT DUE: \$12,503

LAW OFFICES  
**TRISTER, ROSS, SCHADLER & GOLD**  
1666 CONNECTICUT AVENUE, N.W., FIFTH FLOOR  
WASHINGTON, D.C. 20009  
PHONE: (202) 328-1666  
FAX: (202) 204-5946  
www.tristerross.com

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DAVID M. WACHTEL\*  
\*ALSO ADMITTED IN MARYLAND  
\*ALSO ADMITTED IN  
CALIFORNIA AND MARYLAND

KAREN A. POST  
Senior Counsel  
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JOSEPH W. STEINBERG\*  
\*ALSO ADMITTED IN MINNESOTA  
Montana Office  
LAURA L. HOEHN\*  
Of Counsel  
\*ALSO ADMITTED IN CALIFORNIA

October 30, 2017

Office of Administrative Review  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: AF# 3344 (National Treasury Employees Union Advocacy Committee)

Dear Sir or Madam:

The National Treasury Employees Union Advocacy Committee (the "Committee") and Deborah Jansen, in her official capacity as Treasurer, (together, the "Respondents") submit this challenge to the proposed civil money penalty ("the Penalty") assessed by the Federal Election Commission (the "Commission") in the above-referenced matter because it has been miscalculated under the Commission's rules, and in fact no penalty is warranted.

### FACTS

On September 21, 2017, the Commission notified the Respondents that the Commission found reason to believe ("RTB") that the Respondents violated 52 U.S.C. § 30104(a) by failing to timely file the Committee's 2017 Mid-Year Report (the "Report"). The Commission also notified Respondents that the Report was considered not filed for purposes of calculating a proposed civil money penalty ("CMP") for the violation due to the fact that the Report had not been filed within 30 days after the July 31 filing deadline. The Commission assessed \$12,503 as the Penalty against Respondents.

On September 25 Ms. Jansen received the Commission's September 21 notification of its RTB finding and proposed Penalty (the "Notification"). See the attached Declaration of Deborah Jansen (Exhibit 1) at para. 3. She filed the Report the next day. See *id.* at para. 4. The Report shows that the Committee had no receipts or disbursements during the period covered by the Report, and so the level of activity in the Report was \$0. See the attached Report (Exhibit 2).

### ARGUMENT: THE CORRECT CIVIL MONEY PENALTY IS ZERO

The Respondents do not challenge the Commission's RTB finding. They acknowledge the mistake of failing to timely file the Report and rectified this error upon receipt of the

**Commission’s Notification.** But, because any penalty should be assessed based on the activity actually disclosed in the Report, Respondents challenge the calculation of the Penalty because it was “improperly calculated” and respectfully request that the Commission modify the Penalty accordingly. *See* 11 C.F.R. §§ 111.35(b)(2), 111.37(c).

The CMP assessed for Respondents' non-filing of its no-activity Report should be \$0. The Commission's regulations provide that CMPs for late-filed or not-filed reports that are not election sensitive are to be calculated in accordance with the penalty schedule set forth at 11 C.F.R. § 111.43(a). Because, as the Commission observes in its Notification, the Committee's Report was "[n]ot [e]lection [s]ensitive," the CMP for the Committee's not-filed Report should be calculated according to this schedule, which provides for the calculation of penalties for late-filed and not-filed reports with a level of activity of \$1 and above. *See* 11 C.F.R. § 111.43(a). Although the proposed CMP was calculated using an estimated level of activity of \$371,152, presumably based on reports filed during the last election cycle, *see id.* at §§ 111.43(d)(2)-(3), the actual level of activity in the Report was \$0. *See* Exhibit 2; *see also*, 11 C.F.R. § 111.43(d)(3). The schedule set forth at 11 C.F.R. § 111.43(a) only provides for the calculation of CMPs for a level of activity of at least \$1. Therefore, no CMP, or a CMP of \$0, should be imposed. *See, e.g.*, AF 2971 (If He Votes Like That In Salem Imagine What He Will Do In Congress), Final Determination Recommendation and Final Determination Letter; AF 2543 (Friends of Chris Garner), Final Determination Recommendation and Final Determination Letter; and AF 2465 (Thomas C. Castellano Campaign Fund), Final Determination Recommendation and Final Determination Letter.

Moreover, the schedule at 11 C.F.R. § 111.43(a) itself dictates that the correct CMP in this case is \$0. The schedule states that “[t]he civil money penalty for a respondent who does not have any previous violations will not exceed the level of activity in the report.” 11 C.F.R. § 111.43(a), n. a. The Respondents have no previous violations. See Notification at p. 1. Because any CMP of more than \$0 will exceed the Report’s level of activity, the final CMP must be \$0.

## **CONCLUSION**

**For the reasons set forth above, Respondents respectfully request that the Commission modify the proposed Penalty and assess a final CMP of \$0.**

**Respectfully submitted,**

Camille E. Gold

**Laurence E. Gold**  
**Jessica Robinson**  
**Trister, Ross, Schadler & Gold, PLLC**  
**5<sup>th</sup> Floor**  
**1666 Connecticut Avenue, NW**  
**Washington, DC 20009**  
**202-464-0353**  
**lgold@tristerross.com**  
**jrobinson@tristerross.com**

## EXHIBIT 1

1-800-N-N-T-N-C-N-C

BEFORE THE FEDERAL ELECTION COMMISSION

National Treasury Employees Union Advocacy  
Committee, and Deborah Jansen, in her official  
capacity as Treasurer,

AF 3344

Respondents.

DECLARATION OF DEBORAH JANSEN

1. I am the Treasurer of the National Treasury Employees Union Advocacy Committee (the "Committee"), and I oversee the filing of the Committee's disclosure reports with the Federal Election Commission ("FEC").
2. Due to the mistaken belief that the Committee was not required to file the 2017 Mid-Year Report if the Committee had no receipts or disbursements during the period covered by that report, the report was not filed.
3. On September 25, 2017, I received a notification from the FEC that the 2017 Mid-Year Report was required to be filed, but had not been filed, and that the FEC had assessed a \$12,503 penalty against the Committee based on a level of activity of \$371,152.
4. On September 26, 2017, the Committee's 2017 Mid-Year Report was filed, showing that the Committee had no receipts or disbursements during the six-month period covered by the report.
5. From viewing the FEC's website, I am now aware that the FEC sent an August 16, 2017 letter addressed to me, notifying me of the fact that the 2017 Mid-Year Report was required to be filed, but had not been filed.
6. I do not recall ever having received the FEC's August 16 letter, and I have searched my electronic and paper files for the letter, but am unable to locate it.
7. It is possible that the FEC's August 16 letter was sent to the e-mail address of Maureen Gilman, which is listed on the Committee's Statement of Organization as an optional e-mail address for the Committee. By August 16, Ms. Gilman was no longer a designated agent of the Committee and the e-mail address listed for her on the Committee's Statement of Organization was no longer in use. The Committee's Statement of Organization has been amended to remove Ms. Gilman's e-mail address.
8. I am certain that if I had received the FEC's August 16 letter I would have seen to it that the Committee's 2017 Mid-Year Report was filed as soon as possible.

I declare under penalty of perjury that the foregoing is true and correct. Executed October 27, 2017.

By:

Deborah Jansen

**EXHIBIT 2**

CONFIDENTIAL

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines.

12FE4M5

NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE

ADDRESS (number and street)

1750 H ST NW

☐ Check if different than previously reported. (ACC)

WASHINGTON

DC

20006

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00623355

3. IS THIS  
REPORTX NEW  
(N) OR☐ AMENDED  
(A)4. TYPE OF REPORT  
(Choose One)

(a) Quarterly Reports:

- ☐ April 15  
Quarterly Report (Q1)
- ☐ July 15  
Quarterly Report (Q2)
- ☐ October 15  
Quarterly Report (Q3)
- ☐ January 31  
Year-End Report (YE)
- ☒ July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)
- ☐ Termination Report  
(TER)

(b) Monthly  
Report  
Due On:

Feb 20 (M2)

May 20 (M5)

☐ Aug 20 (M8)Nov 20 (M11)  
(Non-Election  
Year Only)

Mar 20 (M3)

Jun 20 (M6)

☐ Sep 20 (M9)Dec 20 (M12)  
(Non-Election  
Year Only)☐ Apr 20 (M4)

Jul 20 (M7)

☐ Oct 20 (M10)

Jan 31 (YE)

(c) 12-Day  
PRE-Election  
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

☒ Special (12S)

Election on

in the  
State of(d) 30-Day  
POST-Election  
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

01

01

2017

through

06

30

2017

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.  
Jansen, Deborah, ..

Type or Print Name of Treasurer

Signature of Treasurer

Jansen, Deborah, ..

[Electronically Filed]

Date

09

26

2017

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office  
Use  
Only**FEC FORM 3X**  
Rev. 05/2016

# SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE

Report Covering the Period:

From:

01

01

2017

To:

06

30

2017

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, <span style="border: 1px solid black; padding: 2px;">2017</span>		1113.48
(b) Cash on Hand at Beginning of Reporting Period.....	1113.48	
(c) Total Receipts (from Line 19) .....	0.00	<span style="border: 1px solid black; padding: 2px;">0.00</span>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	<span style="border: 1px solid black; padding: 2px;">1113.48</span>	<span style="border: 1px solid black; padding: 2px;">1113.48</span>
7. Total Disbursements (from Line 31) .....	<span style="border: 1px solid black; padding: 2px;">0.00</span>	<span style="border: 1px solid black; padding: 2px;">0.00</span>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	1113.48	<span style="border: 1px solid black; padding: 2px;">1113.48</span>
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	



This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Toll Free 800-424-9530  
Local 202-694-1100



# **DETAILED SUMMARY PAGE** of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name

**NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE**

Report Covering the Period: From: 01 01 2017 To: 06 30 2017

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	0.00	0.00
(ii) Unitemized .....	0.00	0.00
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	0.00	0.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5).....▶	0.00	0.00
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received .....	0.00	0.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3).....	0.00	0.00
(b) Levin Funds (from Schedule H5) .....	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)).....▶	0.00	0.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	0.00	0.00







FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 14, 2017

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3344 – National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer (C00623355)

**Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

**Reason-to-Believe Background**

The 2017 Mid-Year Report was due on July 31, 2017. The respondents filed the report on September 26, 2017, 57 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On September 20, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2017 Mid-Year Report and made a preliminary determination that the civil money penalty was \$12,503 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on September 22, 2017 to notify them of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a committee not authorized by a candidate shall file, in a non-election year, a report for the period ending June 30 no later than July 31. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(2)(i). Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on July 31 for the Mid-Year Report to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## **Summary of Respondents' Challenge**

On October 30, 2017, the Commission received the written response ("challenge") from the respondents' counsel. Counsel acknowledges the Committee failed to timely file the 2017 Mid-Year Report and states the report was filed on September 26, 2017. Counsel requests the civil money penalty be recalculated based on the actual level of activity disclosed on report.

## **Analysis**

At the time of the RTB finding, the Commission used an estimated level of activity (\$371,152) to calculate the penalty because the 2017 Mid-Year Report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). The Committee filed the report on September 26, 2017, 57 days late. The report discloses \$0 in total receipts and \$0 in total disbursements. Therefore, the actual level of activity of the 2017 Mid-Year Report is \$0. Using the schedule of penalties at 11 C.F.R. § 111.43(a), no civil money penalty is assessed for a level of activity less than \$1. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

## **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 3344 involving National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3344 that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$12,503); and
3. Send the appropriate letter,

## **Attachments**

- Attachment 1 –
- Attachment 2 – Declaration from RAD
- Attachment 3 – Declaration from OAR

**DECLARATION OF KRISTIN D. ROSER**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to National Treasury Employees Union Advocacy Committee:
  - A) Non-Filer Letter, dated August 16, 2017, referencing the 2017 Mid-Year Report (sent via electronic mail to: [deborah.jansen@nteu.org](mailto:deborah.jansen@nteu.org) and [maureen.gilman@nteu.org](mailto:maureen.gilman@nteu.org));
  - B) Reason-to-Believe Letter, dated September 21, 2017, referencing the 2017 Mid-Year Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that National Treasury Employees Union Advocacy Committee filed the 2017 Mid-Year Report with the Commission on September 26, 2017.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 16<sup>th</sup> day of November, 2017.

*Kristin Roser*

Kristin D. Roser  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

August 16, 2017

JANSEN, DEBORAH, TREASURER  
NATIONAL TREASURY EMPLOYEES UNION  
ADVOCACY COMMITTEE  
1750 H ST NW  
WASHINGTON, DC 20006

IDENTIFICATION NUMBER: C00623355

REFERENCE: MID-YEAR REPORT REPORT (01/01/2017 - 06/30/2017)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report or relevant portions must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at [www.fec.gov](http://www.fec.gov).

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Ben Holly in the Reports Analysis Division on our toll free number (800)424-9530. The analyst's direct number is (202)694-1129.





**DECLARATION OF RHIANNON MAGRUDER**

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A principal campaign committee shall file a report for the period ending June 30 no later than July 31 in a non-election year. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time July 31, 2017 for the 2017 Mid-Year Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Cover Page and Detailed Summary Pages of the 2017 Mid-Year Report filed by National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer. The report includes the coverage period of January 1, 2017 through June 30, 2017 and was filed on September 26, 2017.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 14<sup>th</sup> day of December, 2017.

Rhiannon Magruder  
Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE

ADDRESS (number and street) 1750 H ST NW

Check if different than previously reported. (ACC) WASHINGTON DC 20006

2. FEC IDENTIFICATION NUMBER ▼ CITY ▲ STATE ▲ ZIP CODE ▲

C C00623355

3. IS THIS REPORT NEW OR AMENDED (N) (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

July 31 Mid-Year Report (Non-election Year Only) (MY)

Termination Report (TER)

(b) Monthly Report Due On:

Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11) (Non-Election Year Only)

Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12) (Non-Election Year Only)

Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

Primary (12P) General (12G) Runoff (12R)

Convention (12C) Special (12S)

Election on M M / D D / Y Y Y Y in the State of

(d) 30-Day POST-Election Report for the:

General (30G) Runoff (30R) Special (30S)

Election on M M / D D / Y Y Y Y in the State of

5. Covering Period M M / D D / Y Y Y Y 01 01 2017 through M M / D D / Y Y Y Y 06 30 2017

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Jansen, Deborah, . .

Type or Print Name of Treasurer

Signature of Treasurer Jansen, Deborah, . . [Electronically Filed] Date M M / D D / Y Y Y Y 09 26 2017

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office  
Use  
Only**FEC FORM 3X**  
Rev. 05/2016

# SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

NATIONAL TREASURY EMPLOYEES UNION ADVOCACY COMMITTEE

Report Covering the Period: From: 01 01 2017 To: 06 30 2017

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2017		1113.48
(b) Cash on Hand at Beginning of Reporting Period.....	1113.48	
(c) Total Receipts (from Line 19).....	0.00	0.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	1113.48	1113.48
7. Total Disbursements (from Line 31).....	0.00	0.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	1113.48	1113.48
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

## For further information contact:

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Toll Free 800-424-9530  
Local 202-694-1100



# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share .....	0.00	0.00
(ii) Non-Federal Share .....	0.00	0.00
(b) Other Federal Operating Expenditures .....	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	0.00	0.00
22. Transfers to Affiliated/Other Party Committees .....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees .....	0.00	0.00
24. Independent Expenditures (use Schedule E) .....	0.00	0.00
25. Coordinated Party Expenditures (52 U.S.C. § 30116(d)) (use Schedule F) .....	0.00	0.00
26. Loan Repayments Made .....	0.00	0.00
27. Loans Made .....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees .....	0.00	0.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)) .....	0.00	0.00
29. Other Disbursements (Including Non-Federal Donations) .....	0.00	0.00
30. Federal Election Activity (52 U.S.C. § 30101(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share .....	0.00	0.00
(ii) "Levin" Share .....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds .....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)) .....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	0.00	0.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31) .....	0.00	0.00

**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	0.00	0.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	0.00	0.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3) .....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	0.00	0.00

110309269075530330



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 14, 2017

Laurence E. Gold  
Jessica Robinson  
Trister, Ross, Schadler & Gold, PLLC  
5th Floor  
1666 Connecticut Avenue, NW  
Washington, DC 20009

National Treasury Employees Union Advocacy Committee  
C00623355  
AF#: 3344

Dear Counsel:

On September 20, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2017 Mid-Year Report. The Commission also made a preliminary determination that the civil money penalty was \$12,503 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess no civil money penalty. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

2018 JAN 10 AM 9:19

**SENSITIVE**

January 10, 2018

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3344 – National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer (C00623355)

On September 20, 2017, the Commission found reason to believe ("RTB") that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file the 2017 Mid-Year Report. The Commission made a preliminary determination that the civil money penalty was \$12,503 based on the schedule of penalties at 11 C.F.R. § 111.43.

On October 30, 2017, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated December 14, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). Counsel has indicated no response will be submitted.



100-44388-50

1. **Adopt the Reviewing Officer recommendation for AF# 3344 involving National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, in making the final determination;**
2. **Make a final determination in AF# 3344 that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$12,503); and**
3. **Send the appropriate letter.**

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3344  
Final Determination Recommendation: )  
National Treasury Employees Union )  
Advocacy Committee and Deborah )  
Jansen, in her official capacity as )  
Treasurer (C00623355) )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election  
Commission, do hereby certify that on January 18, 2018, the Commission  
decided by a vote of 5-0 to take the following actions in AF 3344:

1. Adopt the Reviewing Officer recommendation for AF# 3344  
involving National Treasury Employees Union Advocacy  
Committee and Deborah Jansen, in her official capacity as  
Treasurer, in making the final determination.
2. Make a final determination in AF# 3344 that National Treasury  
Employees Union Advocacy Committee and Deborah Jansen,  
in her official capacity as Treasurer, violated 52 U.S.C.  
§ 30104(a) and assess no civil money penalty (reduced from the  
RTB civil money penalty of \$12,503).
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub  
voted affirmatively for the decision.

Attest:

January 18, 2018  
Date

Dayna C. Brown  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 1, 2018

Laurence E. Gold  
Jessica Robinson  
Trister, Ross, Schadler & Gold, PLLC  
5th Floor  
1666 Connecticut Avenue, NW  
Washington, DC 20009

National Treasury Employees Union Advocacy Committee  
C00623355  
AF#: 3344

Dear Counsel:

On September 20, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2017 Mid-Year Report. By letter dated September 22, 2017, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$12,503 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On October 30, 2017, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the actual level of activity disclosed on the 2017 Mid-Year Report filed September 26, 2017 (\$0), assess no civil money penalty in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on December 14, 2017.

On January 18, 2018, the Commission adopted the Reviewing Officer's recommendation and made a final determination that National Treasury Employees Union Advocacy Committee and Deborah Jansen, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the level of activity disclosed on the 2017 Mid-Year Report (\$0), assessed no civil money penalty (reduced from the RTB civil money penalty of \$12,503). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the

estimated level of activity was used. A copy of the Final Determination Recommendation is attached.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

*Carole C. Hunter*

Caroline Hunter  
Chair

Attachment

**WYNN**